

RECEIVED
CENTRAL FAX CENTER

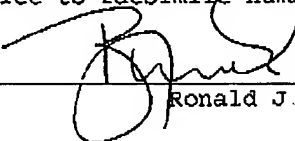
FEB 20 2009

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE HONORABLE BOARD OF PATENT APPEALS AND INTERFERENCES

Appl. No. : 10/743,745 Confirmation No. 9090
Applicant : Shigekazu YASUOKA et al.
Filed : December 24, 2003
TC/A.U. : 1793
Examiner : Jesse Randall Roe
Dkt. No. : SNY-048
Cust. No. : 20374

I hereby certify that this paper is being
facsimile transmitted on February 20, 2009,
to the United States Patent and Trademark
Office to facsimile number (571)273-8300.



Ronald J. Kubovcik

NOTICE OF APPEAL

Mail Stop AF
To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 20, 2009

Sir:

Applicants hereby appeal to the Board of Patent Appeals and
Interferences from the decision dated August 20, 2008, of the
Primary Examiner finally rejecting claims 1-4, 9-16 and 21-25.

The items checked below are appropriate:

1. XX A petition for an extension of time to respond to the

P:\02-09\048-048-pto-not-appeal-cot vpd

RECEIVED
CENTRAL FAX CENTER

FEB 20 2009

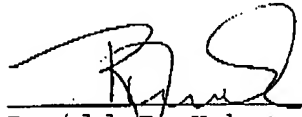
U.S. Patent Appln. S.N. 10/743,745
NOTICE OF APPEAL

PATENT

final rejection was filed on February 20, 2009, for
second and third months.

2. XX A timely response to the final rejection has been filed,
as provided in 841 O.G. 1411.
3. XX Fee \$ 540.00 or Small Entity \$255.00
XX Enclosed (as part of PTO-2038 for \$1,160.00)
 Not required (fee paid in prior appeal)

In the event this paper is not considered to be timely filed,
applicant hereby petitions for an appropriate extension of time.
The fee for this extension may be charged to our Deposit Account
No. 111833, along with any other additional fees which may be
required with respect to this paper.


Ronald J. Kubovcik
Reg. No. 25,401

KUBOVCIK & KUBOVCIK
Crystal Gateway 3
Suite 1105
1215 South Clark Street
Arlington, VA 22202
Tel: (703) 412-9494
Fax: (703) 412-9345